

REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION

| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION | | PRIOR APPLICATION EXAMINER | ART UNIT |
|--------------------|------------------------------------------------|----------|----------------------------|----------|
| | CLASS | SUBCLASS | | |
| 785-011640-US(C01) | | | | |

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b) of pending prior international application Number PCT /EP02/07380, filed on July 3, 2002 entitled **SUBSTITUTED Y-LACTONE COMPOUNDS AS NMDA-ANTAGONISTS**

, which designated the United States.

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|-----------------------------------------------------------------|------------------|------------------|-------------------------------|------------------|
| | TOTAL CLAIMS (37 CFR 1.16(c)) | 37 - 20 = | 17 | x \$ 18 = | \$ 306.00 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b)) | 1 - 3 = | 0 | x 84 = | 0.00 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + 0 = | 0.00 |
| | | | | BASIC FEE (37 CFR 1.16(a)) | + 750.00 |
| | | | | Total of above Calculations = | 1,056.00 |
| | Reduction by 50% for filing by small entity (Note 37 CFR 1.27). | | | | 0.00 |
| | | | | Total = | \$1,056.00 |

- Enclosed are the specification, claims and drawing(s).
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 16-1350.
- ☒ A check in the amount of \$ 1,056.00 is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ Application Data Sheet is enclosed. See 37 CFR 1.76.
- ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation ☐ division of international application number PCT /EP02/07380, filed July 3, 2002 (status, abandoned, pending, etc.)."

[Page 1 of 2]

This collection of information is required by 637 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. . Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION

8. ☐ A declaration under 37 CFR 1.63 is enclosed.
9. ☒ Priority of foreign application number 10132725.0, filed on July 5, 2001 in Germany is claimed under 35 U.S.C. 119(a)-(d).
- ☐ The certified copy is enclosed.
10. ☒ A preliminary amendment is enclosed.
11. ☒ Also enclosed: IDS, PCT Intl. Search Report, German Search Report, PTO-Form 1449, citations

Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record).

Clarence A. GreenPERMAN & GREEN, LLP, 425 Post Road, Fairfield, Connecticut 06824**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**January 5, 2004

Date

(203) 259-1800

Telephone Number



Signature

Clarence A. Green

Typed or printed name


24,622

Registration Number, if applicable

- ☐ Inventor(s)/Applicant(s)
- ☐ Assignee of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☐ Attorney or agent of record
- ☒ Filed under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a). 24,622

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------|----------------------------------|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): MAUL et al. | | | Docket No. 785-011640-US(C01) |
| Serial No. | Filing Date Herewith | Examiner | Group Art Unit |
| Invention: SUBSTITUTED Y-LACTONE COMPOUNDS AS NMDA-ANTAGONISTS | | | |
| I hereby certify that the following correspondence: <div style="border: 1px solid black; padding: 10px; text-align: center;">Request for filing a continuation of an International Application, patent application and accompanying papers <i>(Identify type of correspondence)</i></div> is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>January 5, 2004</u> <i>(Date)</i> <div style="text-align: right; margin-top: 20px;"><u>Deborah J. Clark</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <i>(Signature of Person Mailing Correspondence)</i> <u>EL 990504794 US</u> <i>("Express Mail" Mailing Label Number)</i></div> | | | |
| Note: Each paper must have its own certificate of mailing. | | | |